REMARKS

Claims 22-32, 34-45, 49-57, and 60 are pending in the Application and all stand rejected in the final Office action mailed September 14, 2010. Claims 22, 36, and 50 have been amended and claim 60 has been cancelled. Claims 22, 36, and 50 are independent claims from which claims 23-32, 34, and-35, claims 37-45 and 49, and claims 51-57 depend, respectively. Applicants respectfully request reconsideration of pending claims 22-32, 34-45, and 49-57, in light of the remarks set forth below.

The Applicants note that a goal of patent examination is to provide a prompt and complete examination of a patent application.

> It is essential that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the initial review of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. Thus, USPTO personnel should state all reasons and bases for rejecting claims in the first Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, USPTO personnel should indicate how rejections may be overcome and how problems may be resolved. **A failure to follow this approach can lead to unnecessary delays in the prosecution of the application**.

M.P.E.P. §2106(II) (emphasis added).

As such, the Applicants assume, based on the goals of patent examination noted above, that the current Office Action sets forth "all reasons and bases" for rejecting the claims.

Amendments to Claims

Claims 22, 36, and 50 have been amended as shown above to include aspects of claim 60, which has been cancelled. Applicants respectfully submit that the amendments to claims 22, 36, and 50 do not add new matter.

Rejection of Claims

Claims 22-24, 29-31, 34-37, 42-44, 49-50, 54-57, and 60 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henley, *et al.* (US 5,526,353, hereinafter "Henley") in view of Sharman, *et al.* (US 5,774,854, hereinafter "Sharman"). Claims 32 and 45 were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over Henley and Sharman, further in view of Chan, *et al.* (US 5,550,861, hereinafter "Chan"). Claims 25-26, 38-39, 51-52 were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over Henley, Chan, Sharman, further in view of Heath, *et al.* (US 5,231,646, hereinafter "Heath"). Claims 27-28, 40-41, 53 were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over Henley, Heath, Sharman, Chan, further in view of Avery, *et al.* (US 5,287,384, hereinafter "Avery"). Applicants respectfully traverse the rejections.

I. Non-Statutory Obviousness Type Double Patenting

Applicants respectfully submit that the rejections of all of claims 25-28, 32, 38-41, 45, and 51-53 on the grounds of non-statutory obviousness-type double patenting are improper, in that the cited art does not identify a commonly owned U.S. Patent. Therefore, Applicants respectfully request that rejections of claims 25-28, 32, 38-41, 45,

and 51-53 on the grounds of non-statutory obviousness-type double patenting be reconsidered and withdrawn.

II. The Proposed Combination Of Henley And Sharman Does Not Render Claims 22-24, 29-31, 34-37, 42-44, 49-50, 54-57, And 60 Unpatentable

Claims 22-24, 29-31, 34-37, 42-44, 49-50, 54-57, and 60 were rejected under 35 U.S.C. §103(a) as being unpatentable over Henley, *et al.* (US 5,526,353, hereinafter "Henley") in view of Sharman, *et al.* (US 5,774,854, hereinafter "Sharman"). Applicants respectfully traverse the rejection. Notwithstanding, Applicants have amended independent claims 22, 36, and 50 as shown above, in response to a suggestion by the Examiner.

Applicants' Representative expresses appreciation to Examiner Venkatesh Haliyur for the opportunity to discuss claims 22, 36, 50, and 60 by telephone on October 1, 2010. During that call, Examiner Haliyur indicated that claims 22, 36, and 50 would be made allowable if claims 22, 36, and 50 were amended to include the subject matter of dependent claim 60.

Applicants have amended claims 22, 36, and 50 to include the subject matter of claim 60 consistent with the suggestion of Examiner Haliyur, and have cancelled claim 60. Applicants respectfully submit that claims 22, 36, and 50, and any claims that depend therefrom, are therefore allowable. Accordingly, Applicants respectfully request that the rejection of claims 22-24, 29-31, 34-37, 42-44, 49-50, and 54-57 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

Conclusion

In general, the Office Action makes various statements regarding the claims of the Application and the cited references that are now moot in light of the above. Thus, Applicants will not address such statements at the present time. However, Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

The Applicants believe that all of pending claims 22-32, 34-45, and 49-57 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, the Applicants invite the Examiner to telephone the undersigned at (312) 775-8000.

A Notice of Allowability is courteously solicited.

The Commissioner is hereby authorized to charge any fees required by this submission to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Dated: October 27, 2010

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